

IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF WISCONSIN

DENNIS JOHN TIMS,

Plaintiff,

v.

STEVEN STRUENSEE, et al.

Defendants.

ORDER

Case No. 23-cv-656-wmc

Plaintiff Dennis John Tims has filed a proposed civil complaint and requests leave to proceed without prepaying the filing fee. In support of his motion, plaintiff has submitted a one-month account statement for August 2023. This statement is insufficient to determine if plaintiff qualifies for indigent status. To evaluate plaintiff's request to proceed without prepayment of the filing fee, I must review a certified copy of plaintiff's inmate trust fund account statement (or institutional equivalent) for the six-month period immediately preceding the filing of the complaint. 28 U.S.C. § 1915(a)(2).

For this case to proceed, plaintiff must submit the certified trust fund account statement no later than October 23, 2023. If I find that plaintiff is indigent, I will calculate an initial partial payment amount that must be paid before the court can screen the merits of the complaint under 28 U.S.C. § 1915(e)(2). Thereafter, plaintiff will be required to pay the balance of the filing fee in installments.

ORDER

IT IS ORDERED that plaintiff Dennis John Tims may have until October 23, 2023 to submit a trust fund account statement for the period beginning approximately March 22, 2023

and ending approximately September 22, 2023. If, by October 23, 2023, plaintiff fails to respond to this order, I will assume that plaintiff wishes to withdraw this action voluntarily. In that event, the case will be closed without prejudice to plaintiff filing the case at a later date.

Entered this 22nd day of September, 2023.

BY THE COURT:

/s/
ANDREW R. WISEMAN
United States Magistrate Judge